S.B. Criminal Misc. Bail Application No.3712/2006

Date : 29.08.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. P.N. Mohanani for the applicant.

Mr. V.R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicant submits in the instant case allegation of theft of 30 quarters of whiskey has been made against the applicant. He further submits that the applicant is in jail since last 15 to 20 days. In last, he prays that the applicant may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application and submitted that 12 cases of same nature are pending against the applicant.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case and the fact that no conviction has been recorded against the applicant as stated by learned counsel for the applicant at bar, I deem it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicant Parkashia son of Kaniya shall be released on bail in CR No.155/2006 P.S. Mandal, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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